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8 Attorneys for the United States of America

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 UNITED STATES OF AMERICA,) No.: CR 05-00507 WHA
)
13 Plaintiff,) STIPULATION AND PROPOSED ORDER
) CONTINUING DATES FOR HEARING
14 v.) AND PROPOSED ORDER EXCLUDING
) TIME BETWEEN JANUARY 31, 2006
15 BERNARD THOMAS, JR.,) AND FEBRUARY 21, 2006 FROM THE
) SPEEDY TRIAL CALCULATION (18 U.S.C.
16) §§ 3161(h)(1)(F) and 3161(h)(8)(B)(iv))
)
17 Defendant.)
) San Francisco Venue

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20 STIPULATION

21 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
22 counsel that:

23 1. The parties have been in communication concerning defendant's motion for
24 discovery and disclosure of exculpatory evidence. The parties have also been engaged in on-
25 going settlement discussions. Based on these discussions, the defendant has agreed to a
26 continuance of the motion until February 21, 2006, at 2:00 p.m. The government contacted
counsel for the defendant on today's date and received her verbal authorization to enter the

1 electronic signature below.

2 3. Accordingly, the hearing date on defendant's motion, currently scheduled for
3 January 31, 2006 at 2:00 p.m., should be continued to **February 21, 2006, at 2:00 p.m.**

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6 DATED:

KEVIN V. RYAN
United States Attorney

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8
9 1/25/06

/S/

PHILIP J. KEARNEY
RICHARD J. CUTLER
Assistant United States Attorney

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14 DATED: 1/25/06

/S/

ELENA CONDES
Counsel for defendant BERNARD THOMAS, JR.

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STIPULATION AND ORDER
CONTINUING DATES

ORDER

Based upon the above Stipulation, and for good cause appearing, THE COURT HEREBY ORDERS THAT:

The hearing date on defendant's motion for discovery and disclosure of exculpatory evidence is continued to **February 21, 2006, at 2:00 p.m.** and that the time between January 31, 2006 and February 21, 2006 is excluded from the speedy trial calculation pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and 3161(h)(8)(B)(iv)).

SO ORDERED.

DATED: January 26, 2006



HON. WILLIAM ALSUP
United States District Judge